

City of Kingston Report to Committee of Adjustment Report Number COA-20-045

To: Chair and Members of the Committee of Adjustment

From: Chris Wicke, Senior Planner

Date of Meeting: August 24, 2020

Application for: Minor Variance

File Number: D13-046-2019

Address: 834-840 Princess Street

Owner: 6837816 Canada Limited

Applicant: API Development Consultants Inc.

Council Strategic Plan Alignment:

Theme: 4. Strengthen economic development opportunities

Goal: 4.1 Support new and existing businesses

Executive Summary:

This report provides a recommendation to the Committee of Adjustment regarding an application for minor variance for the subject site located at 834-840 Princess Street. The applicant is proposing to redevelop and expand the existing two storey hotel building with 45 rooms to six storeys, with a total of 115 hotel rooms. The proposed parking supply is 102 parking spaces, provided in an existing surface parking lot. Parking is required at a rate of 1 parking space per guest room, and as such, a minor variance is being sought to reduce the required parking by 13 spaces. In addition, two loading spaces and three bus spaces are required, and one of each is proposed, requiring relief. Relief is also being sought regarding the streetwall height for an integrated sign feature that is proposed to exceed the maximum permitted streetwall height, and from the maximum applicable front yard setback for the streetwall for floors 2 to 4.

The requested minor variances are consistent with the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 8499. The requested minor variances are desirable for the appropriate development or use of the land, building or structure and are

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minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and is recommended for approval.

The proposal is also located in the area subject to an Interim Control By-law. As such, the proposal requires relief from the Interim Control By-law 2019-73 "A By-Law to Establish an Interim Control By-Law within the Williamsville Main Street Corridor of the City of Kingston to Prohibit Intensified Uses". Section 2 of the By-law states that "No land, building or structure subject to this By-law shall be used for a permitted use that does not comply with the permitted setbacks, height, and/or angular plane requirements of Zoning By-law Number 8499 as it was read immediately prior to the passing of this By-law". As the proposed development is considered to uphold the intent of the By-law in terms of not exceeding the height requirements regarding buildings than is permitted in Zoning By-law 8499, the application is recommended for approval.

Variance Number 1:

By-Law Number 8499: Section 5.3 A (b) ii

Requirement: Hotels / Motels - 1 parking space for each guest room / suite plus 1 parking space for each 4 persons that can be accommodated at any one time in any beverage room or liquor lounge plus 1 bus parking space (minimum dimensions 3.6 metres [12 feet] by 12 metres [39 feet]) for each 50 guest rooms, to a maximum of 3 bus parking spaces.

Proposed: Decrease parking spaces to 102 parking spaces total and decrease bus spaces to 1 total.

Variance Requested:Reduction of 13 standard parking spaces and reduction of 2 bus parking spaces.

Variance Number 2:

By-Law Number 8499: Section 5.4 (a) iii.

Requirement: Hotels - 1 off-street loading space per 2,325.0 m₂ of total floor area, however, not more than 2 such spaces shall be required unless the building has a total floor area of over 18,580.0 m₂ in which case 1 additional loading space shall be provided for each 3,715.0 m₂ of total floor space.

Proposed: Decrease to 1 loading space. total

Variance Requested: Reduction of 1 loading space.

Variance Number 3:

By-Law Number 8499: Section 23C.3 (a)(ii)

Requirement: Height - the maximum streetwall height for all buildings / structures shall be 13.5 metres.

Proposed: The maximum proposed streetwall is 15.3 metres for a signage feature only. The rest of the elevation at the streetwall is at or below 13.5 metres

Variance Requested: Increase of maximum streetwall height by 1.8 metres for signage feature.

Variance Number 4:

By-Law Number 8499: Section 23C.3 (b)(ii)

Requirement: Yards - A minimum of 75 per cent of a building frontage shall be built to the front property line, or applicable setback line, for the height of the streetwall.

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Proposed: The front yard setback (applicable setback line) is proposed to be 1.2 metres for the ground floor and 1.7 metres for floors 2 to 4 for the height of the streetwall. **Variance Requested**: Increased setback of 0.5 metres from the applicable setback line (1.2 metres) for the streetwall for floors 2 to 4.

Recommendation:

That minor variance application, File Number D13-046-2019, for the property located at 834-840 Princess Street to reduce the required parking to 102 spaces; reduce the required loading spaces to 1 space; to reduce the required bus spaces to 1 space; to increase the maximum streetwall height to 15.3 metres to accommodate a signage feature; and to provide relief from the front yard setback for the streetwall for floors 2 to 4 to 1.7 metres, be approved; and

That approval of the application be subject to the conditions attached as Exhibit A (Recommended Conditions) to Report Number COA-20-045.

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Authorizing Signatures:

Chris Wicke, Senior Planner

In Consultation with the following Management of the Community Services Group:

Paige Agnew, Commissioner, Community Services

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Options/Discussion:

On September 3, 2019, a minor variance application was submitted by 0TAPI Development Consultants Inc., on behalf of the owner, 0T6837816 Canada Limited, with respect to the property located at 834-840 Princess Street. The proposed development would redevelop an existing EconoLodge two storey hotel with 45 rooms as a six storey Hilton Tru with 115 rooms, with some portions of the existing building to be demolished and removed, and the proposed building to be constructed mainly upon the building footprint, with some expansion along the Princess Street façade.

The variance is requested to reduce the required parking to 102 spaces; reduce the required loading spaces to 1 space; reduce the required bus spaces to 1 space; increase the maximum streetwall height to 15.3 metres for a decorative signage feature, and to increase the maximum front yard setback for floors 2 to 4 of the streetwall to 1.7 metres.

In support of the application, the applicant has submitted the following:

- Site Plan (Exhibit E);
- Elevations and Rendering (Exhibit F);
- Floor Plans (Exhibit G); and
- Parking Letter of Opinion (Exhibit H).

All submission materials are available online through the Development and Services Hub (DASH) at the following link, <u>DASH</u>, using "Look-up a Specific Address". If there are multiple addresses, search one address at a time, or submission materials may also be found by searching the file number.

Site Characteristics

The subject property is located at 834-840 Princess Street, on the south side of the street between Regent Street to the west and MacDonnell Street to the east. The primary entrance is from Princess Street, with a secondary entrance onto Regent Street. The subject property is approximately 7,362 square metres in area with approximately 80.1 metres of frontage on Princess Street and 29.1 metres of frontage on Regent Street. The building has a total proposed gross floor area of 7,265 square metres.

The subject property is designated Main Street Commercial and Residential in the Official Plan and is zoned C4-H(T1) and C.75 in Zoning By-Law Number 8499. The property abuts a mix of main street commercial uses to the north, west and east, including a heritage designated building, the Canadian National Institute for the Blind to the east at 826 Princess. To the south of the property are multi-unit residential buildings ranging from 6 to 13 storeys in height.

Application

The review of an application for minor variance(s) is not a simple mathematical calculation, but rather a detailed assessment of whether the variance(s) requested, both separately and together, meet the four tests of a minor variance outlined in Subsection 45(1) of the *Planning Act*. The following provides this review:

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Provincial Policy Statement

In addition to the four tests of a minor variance detailed above, Subsection 3(5) of the *Planning Act* requires that a decision in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (the PPS). The PPS provides policy direction on matters of provincial interest related to land use planning and development which are complemented by local policies addressing local interests. The application being considered is site specific to accommodate a specific proposal and does not involve any major policy considerations and as such, the proposal conforms to and is consistent with the PPS.

1) The general intent and purpose of the Official Plan are maintained

The subject property is designated Main Street Commercial and Residential in the City of Kingston Official Plan, with the built form proposed for the area designated Main Street Commercial and exclusively surface parking located in the Residential designation.

In considering whether this proposed variance is desirable, the Committee of Adjustment will have regard to the nine requirements included in Section 9.5.19 of the Official Plan. The following provides these nine requirements and an assessment of how the proposal is consistent with each.

1. The proposed *development* meets the intent of Section 2 Strategic Policy Direction, and all other applicable policies of this Plan;

The proposal meets the intent of Section 2 of the Official Plan, and the strategic policy direction that the focus of the City's growth will be within the Urban Boundary, where adequate services exist (Section 2.3.1). The proposed expansion of the existing hotel is for a permitted hotel use, and the proposed use and form support relevant policies including land use patterns that foster transit and active transportation, enhanced access to public amenities and spaces for all residents, visitors and workers, promotion of employment opportunities, and maximized use of investments in infrastructure and public amenities (Section 2.1.1). The site is located in the Centres and Corridors designation on the Schedule 2 - City Structure. Centres and Corridors (Section 2.2.7) – are areas of mixed use and mixed buildings, including employment, residential, commercial and supporting uses and facilities. These will be the areas where intensification will be focused, and where greater densities of residential and non-residential development will be permitted. Corridors are identified as those areas that provide linkages between Centres and are accordingly well-suited to accommodate priority transit and a mix of uses that promote active transportation. The proposed development represents a reinvestment in a property that is proposed to support the viability of the corridor and the surrounding area. The development application is also supporting the sustainability objectives of the Official Plan by maximizing the use of the existing footprint of the building, reducing the need for an expansion that might otherwise increase stormwater discharge (Section 2.1.4). The subject property is also part of the Princess Street Corridor Specific Policy Area, and to the Williamsville Main Street policies (Section 10E.1), discussed in greater detail in following sections.

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2. The proposed *development* will be *compatible* with surrounding uses, buildings or structures and *development* standards associated with adjacent properties, and if necessary, incorporate means of alleviating *adverse effects* on abutting land uses as recommended in Section 2.7 of this Plan:

Given that the use is existing, the function of the site will be relatively unchanged between the existing and proposed hotel form in terms of noise, dust, odour, vibration and light pollution, as well as specifically from the perspective of vehicular access and parking and pedestrian access.

The proposed expansion is to be constructed with an architectural character that is in confirmity with the principles laid out in the Official Plan and on the approximate footprint of an existing two-storey hotel. The use of building design elements including an appropriate six floor building height that respects the angular plane, articulation along the building facade, and stepbacks above the fourth floor that define the streetwall that contribute to the streetscape all help mitigate potential impacts such as shadowing, loss of privacy, visual intrusion and architectural incompatibility. There is a greater setback than required at grade which supports the pedestrian realm at grade by allowing for more space for movement. The proposal also respects the adjacent heritage building to the east. The proposal is appropriate in scale and will be complementary to other forms of development found in the surrounding area. The proposed variances for built form relate only to a signage feature exceeding the streetwall, while the balance of the streetwall height meets the zoning requirements, and to an additional stepback between the ground and second floor that is minor in its depth at an additional 0.5 metres along the frontage. The zoning by-law requires that a minimum of 75% of the building frontage shall be built to the front property line, or applicable setback line, for the height of the streetwall. In this instance, approximately 85% of the building frontage is being built to the applicable setback of 1.2 to 1.7 metres for height of the streetwall.

3. The ability of the site to function in an appropriate manner in terms of access, parking for vehicles and bicycles or any other matter and means of improving such function including considerations for universal accessibility;

The hotel use is existing on the site, and the proposed building will be located on the footprint of the existing hotel. The parking arrangements in terms of access and location are to remain effectively the same. An associated Site Plan Control application (D11-001-2018) has been submitted for this application, and issues of site function and universal accessibility will also be addressed through that application.

4. The conformity of the proposal to any applicable urban design policies endorsed by Council, particularly if the site includes or could impact a *built heritage resource* or is within a Heritage District;

The proposal conforms to applicable urban design policies, as outlined in Section 8 of the Official Plan, as well as the specific Williamsville Main Street policies of the Princess Street Corridor Specific Policy Area. The proposed development has been designed to

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incorporate the specified architectural elements including the ground floor height, appropriate overall and streetwall height, the incorporation of stepbacks and articulation in the façade, respect for the angular plane, the introduction of covered entrance features, setbacks that increase space in the pedestrian realm, and the use of high quality materials.

5. If the site is designated under the *Ontario Heritage Act*, the application shall be reviewed by Heritage Kingston for approval. If the property is adjacent to a designated property under the *Ontario Heritage Act* or shown as a Heritage Area feature, or is affected by the protected views shown on Schedule 9 of this Plan, then a heritage impact statement may be required to assist staff to determine if the resulting *development* is desirable;

The site is adjacent to a heritage designated property located at 826 Princess Street. Through the technical review process, a determination was made by heritage planning staff that a heritage impact statement is not required for the proposed development due to the building design and to the separation (approximately 50 metres) between the redeveloped hotel and the existing heritage building to the east.

The property has also been identified as being in an "Archaeologically Sensitive Area" on the City's Archaeological Master Plan. These aspects are being addressed as part of the associated Site Plan Control application (D11-001-2018).

- 6. The resulting *development* has adequate *municipal water and sewage services* within the *Urban Boundary*, or is capable of providing *individual on-site water and sewage services* outside the *Urban Boundary*;
 - The subject property is located within the Urban Boundary with municipal water and sanitary services. The application was circulated to Utilities Kingston through technical review, who noted that there were no concerns with the application.
- 7. Whether the application and the cumulative impact of the proposed variances would be more appropriately addressed by a zoning amendment to the applicable zoning by-law;
 - The proposal meets the four tests of a Minor Variance as outlined in the *Planning Act*, and described herein.
- 8. The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of the application for a minor variance including any reasonable requirements, recommendations of City departments, or the submission of studies as listed in Section 9.12 of this Plan that may be required to properly evaluate the application;
 - Conditions of approval are recommended in this report (Exhibit A).
- 9. The degree to which such approval may set an undesirable precedent for the immediate area.

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The proposal is in keeping and compatible with the existing development in the surrounding area and will not set an undesirable precedent.

The goal of the Main Street Commercial designation, which is the focus of the built form of this proposal, is to provide retail and other commercial services for surrounding neighbourhoods in a setting that is street oriented and pedestrian focused, including a mix of compatible residential and small-scale office or community uses and services.

The proposal meets the intent and purpose of the Official Plan as the proposed development will not result in any negative impacts to adjacent properties or to the neighbourhood.

2) The general intent and purpose of the zoning by-law are maintained

The subject property is zoned C4-H(T1) and C.75 in the City of Kingston Zoning By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended. The C4 zone permits hotels as well as a broad range of permitted commercial and residential uses including but not limited to libraries, art galleries, museums, churches, community centres, multiple family dwellings, retail stores or shops, offices, banks, restaurants, theatres, and shopping centres. The C.75 zone specifies that on the approximately 0.22 ha parcel of land located on the east side of Regent Street approximately 106.5m south of Princess Street and designated C.75 on Zoning Map Number 20, only a parking lot in association with a hotel shall be a permitted use of the land.

Relief is required to reduce the required parking from 115 to 102 spaces; to reduce the required loading spaces from 2 spaces to 1 space; to reduce the required bus spaces from 3 spaces to 1 space; to increase the maximum streetwall height to 15.3 metres for a decorative feature, and to increase the maximum front yard setback for the height of the streetwall from 1.2 to 1.7 metres.

Given the amount of vehicular and bus parking spaces proposed, as well as the loading space proposed, the parking space proposed is sufficient to meet the operational requirements of the hotel. The expected typical peak parking demand for the proposed hotel would be approximately 95 spaces, which is met by the proposed parking supply of 102 parking spaces (Exhibit H – Parking Letter of Opinion), Consideration is also given to the proximity of the site to an express transit route and multiple regular routes, as well as a dedicated cycling lane. As such, the proposed reductions relative to the required parking rate are not anticipated to cause adverse impacts to the surrounding neighbourhood.

In addition, given the existing built form in the vicinity, as well as the direction provided from a policy and regulatory perspective both for built form in general as well as for development in the Williamsville Main Street corridor, the overall design and scale of the proposal is not anticipated to cause any adverse impacts on the surrounding area.

Variance Number 1:

By-Law Number 8499: Section 5.3 A (b) ii

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Requirement: Hotels / Motels - 1 parking space for each guest room / suite plus 1 parking space for each 4 persons that can be accommodated at any one time in any beverage room or liquor lounge plus 1 bus parking space (minimum dimensions 3.6 metres [12 feet] by 12 metres [39 feet]) for each 50 guest rooms, to a maximum of 3 bus parking spaces. **Proposed**: Decrease parking spaces to 102 parking spaces total and decrease bus

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Variance Requested:Reduction of 13 standard parking spaces and reduction of 2 bus parking spaces.

Variance Number 2:

By-Law Number 8499: Section 5.4 (a) iii.

Requirement: Hotels - 1 off-street loading space per 2,325.0 m_2 of total floor area, however, not more than 2 such spaces shall be required unless the building has a total floor area of over 18,580.0 m_2 in which case 1 additional loading space shall be provided for each 3,715.0 m_2 of total floor space.

Proposed: Decrease to 1 loading space. total

Variance Requested: Reduction of 1 loading space.

Variance Number 3:

By-Law Number 8499: Section 23C.3 (a)(ii)

Requirement: Height - the maximum streetwall height for all buildings / structures shall be 13.5 metres.

Proposed: The maximum proposed streetwall is 15.3 metres for a signage feature only. The rest of the elevation at the streetwall is at or below 13.5 metres

Variance Requested: Increase of maximum streetwall height by 1.8 metres for signage feature

Variance Number 4:

By-Law Number 8499: Section 23C.3 (b)(ii)

Requirement: Yards - A minimum of 75 per cent of a building frontage shall be built to the front property line, or applicable setback line, for the height of the streetwall.

Proposed: The front yard setback (applicable setback line) is proposed to be 1.2 metres for the ground floor and 1.7 metres for floors 2 to 4 for the height of the streetwall.

Variance Requested: Increased setback of 0.5 metres from the applicable setback line (1.2 metres) for the streetwall for floors 2 to 4.

3) The variance is minor in nature

Both the variances related to parking, loading and bus spaces as well as built form are considered minor in nature.

Based on historic user rates and comparable operations, sufficient parking, bus and loading spaces provided, the development will maintain sufficient parking spaces for private vehicles on a site that is located along an express transit route and dedicated bike lane, as well as providing loading and bus spaces to meet the determined functional characteristics of the hotel.

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The overall building design meets the intent of the applicable policies and regulations. The proposal involves the construction of a six storey hotel on the approximate footprint of an existing two-storey hotel. The proposed building form meets the intended character for the area, with the overall six floor height and ground floor height meeting the requirements of the zoning by-law, the first four floors of the building defining the overall streetwall, articulation integrated into the building façade, and a greater setback than required at grade which supports the public and pedestrian realm at grade. Based on the surrounding land uses, issues regarding loss of privacy or overlook to the surrounding area are minimal at this location. The proposed variances for built form relate only to a signage feature exceeding the streetwall, and additional articulation that is minor in its depth at an additional 0.5 metres along the frontage between the second and fourth floor.

4) The variance is desirable for the appropriate development or use of the land, building or structure

The applicant is proposing to redevelop and expand an existing hotel by redeveloping an existing two-storey building and introducing a six-storey building in its place, thereby making effective use of existing servicing capacity. The site function will be effectively the same given the existing use and the arrangement of the development on the site. The proposed location is well suited to the continuance of the hotel use based on its placement along a developing corridor and location relative to both the downtown and other commercial and institutional destinations, as well as its location adjacent to an express transit route and dedicated bicycle lane.

The proposed form is expected to set a positive development precedent for the area. It is anticipated to be compatible in terms of the overall design as the built form reflects the specific characteristics identified in the Williamsville Main Street policies, incorporating both an appropriate building height that respects the angular plane, articulation along the front of the building, and stepbacks above the fourth floor that define the streetwall that contributes to the streetscape. The implementation of these same elements thereby avoids potential impacts such as shadowing, loss of privacy, visual intrusion and architectural incompatibility. The proposal also respects the adjacent heritage building. The proposal is appropriate in scale and will be complementary to other forms of development found in the surrounding area (Exhibits F – Elevations and Rendering and Exhibit I – Site Photographs).

In the context of the development both on its site and as part of the surrounding streetscape and neighbourhood, the variance is desirable and appropriate use of the land.

Interim Control By-Law

The proposal is located in the Williamsville Main Street Corridor, which is subject to an Interim Control By-law. As such, the proposal requires relief from the Interim Control By-law 2019-73 "A By-Law to Establish an Interim Control By-Law within the Williamsville Main Street Corridor of the City of Kingston to Prohibit Intensified Uses". Section 2 of the by-law states that "No land, building or structure subject to this by-law shall be used for a permitted use that does not comply with the permitted setbacks, height, and/or angular plane requirements of Zoning By-law Number 8499 as it was read immediately prior to the passing of this By-law". The proposed

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building form meets the intended character for the area, with the overall six floor height and ground floor height meeting the requirements of the zoning by-law, the first four floors of the building defining the overall streetwall, articulation integrated into the building façade, and a greater setback at grade which supports the public and pedestrian realm at grade. The proposed development is considered to uphold the intent of the By-law in terms of not exceeding the height requirements regarding buildings than is permitted in Zoning By-Law Number 8499, and as such the application is recommended for approval.

Technical Review: Circulated Departments and Agencies

\boxtimes	Building Services		
	Finance	□ Utilities Kingston	⊠ Real Estate & Environmental Initiatives
\boxtimes	Fire & Rescue		
\boxtimes	Solid Waste	□ Parks Development	□ Canadian National Railways
\boxtimes	Housing	□ District Councillor	☐ Ministry of Transportation
	KEDCO	☐ Municipal Drainage	□ Parks of the St. Lawrence
\boxtimes	CRCA	☐ KFL&A Health Unit	☐ Trans Northern Pipelines
	Parks Canada	☐ Eastern Ontario Power	□ CFB Kingston
	Hydro One	☐ Enbridge Pipelines	☐ TransCanada Pipelines
\boxtimes	Kingston Airport		

Technical Comments

This application was circulated to external agencies and internal departments for their review and comment and there were no comments or concerns raised that would preclude this application from moving forward. Any technical comments that are received after the publishing of this report will be included as an addendum to the Committee of Adjustment agenda.

Public Comments

At the time this report was finalized, no public comments were received related to this application. Any public comments received after the publishing of this report will be included as an addendum to the Committee of Adjustment Agenda.

Previous or Concurrent Applications

The concurrent planning applications for the the subject property include an application for Site Plan Control (D11-001-2018) as well as Hold Removal (D28-002-2018).

Conclusion

The requested variance maintains the general intent and purpose of both the City of Kingston Official Plan and Zoning By-Law Number 8499. The proposal is desirable for the appropriate development or use of the land, building or structure and the requested variances is minor in nature. As such, the proposed application meets all four tests under Subsection 45(1) of the *Planning Act* and the application is being recommended for approval, subject to the proposed conditions.

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Approval of this application will allow for the construction of a six storey hotel on the approximate footprint of an existing two storey hotel on the subject property. The relief required for parking, bus, and loading spaces, as well as the built form relief for the streetwall height and setback, are all considered appropriate given the functional requirements of the business and the architectural characteristics of the development in the context of the streetscape and surrounding neighbourhood. The proposed development is not anticipated to have any adverse impacts on the abutting properties.

Existing Policy/By-Law:

The proposed application was reviewed against the policies of the Province of Ontario and City of Kingston to ensure that the changes would be consistent with the Province's and the City's vision of development. The following documents were assessed:

Provincial

Provincial Policy Statement, 2020

Municipal

City of Kingston Official Plan Zoning By-Law Number 8499

Notice Provisions:

A Committee of Adjustment Meeting is going to be held respecting this application on August 24, 2020. Pursuant to the requirements of the *Planning Act*, a notice of the Statutory Public Meeting was provided by advertisement in the Kingston Whig Standard at least 10 days in advance of the Public Meeting. A courtesy notice was also placed in The Kingston Whig-Standard.

Once a decision has been rendered by the Committee of Adjustment, a Notice of Decision will be circulated in accordance with the provisions of the *Planning Act*.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

Tim Park, Manager of Development Approvals 613-546-4291 extension 3223

Chris Wicke, Senior Planner 613-564-4291 extension 3242

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Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Recommended Conditions

Exhibit B Key Map

Exhibit C Official Plan Map

Exhibit D Zoning By-Law Map

Exhibit E Site Plan

Exhibit F Elevations and Rendering

Exhibit G Floor Plans

Exhibit H Parking Letter of Opinion

Exhibit I Site Photographs

Recommended Conditions

Application for minor variance, File Number D13-046-2020

Approval of the foregoing application shall be subject to the following recommended conditions:

1. Limitation

That the approved minor variance applies only to 834-840 Princess Street as shown on the approved drawings attached to the notice of decision.

2. No Adverse Impacts

The owner/applicant shall demonstrate to the satisfaction of the City that there are no adverse impacts on neighbouring properties as a result of any modifications to on-site grading or drainage.

3. Building Permit Application Requirements

The owner/applicant shall provide to the Building Services a copy of the decision of the Committee of Adjustment, together with a copy of the approved drawings, when they make application for a Building Permit.

The drawings submitted with the Building Permit application must, in the opinion of the City, conform to the general intent and description of the approved drawing(s), including any amendments and conditions approved by the Committee of Adjustment, as stated in the decision. It must be noted that additional planning approvals may be required should further zoning deficiencies be identified through the Building Permit application process.

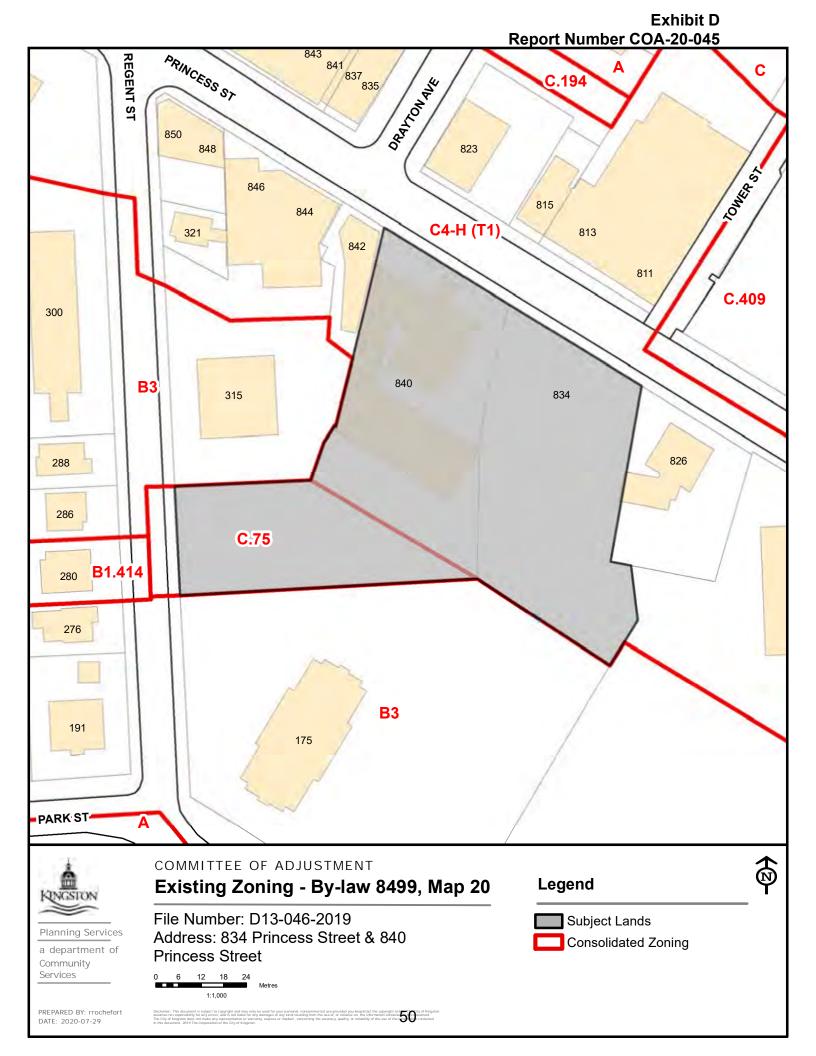
4. Standard Archaeological Condition

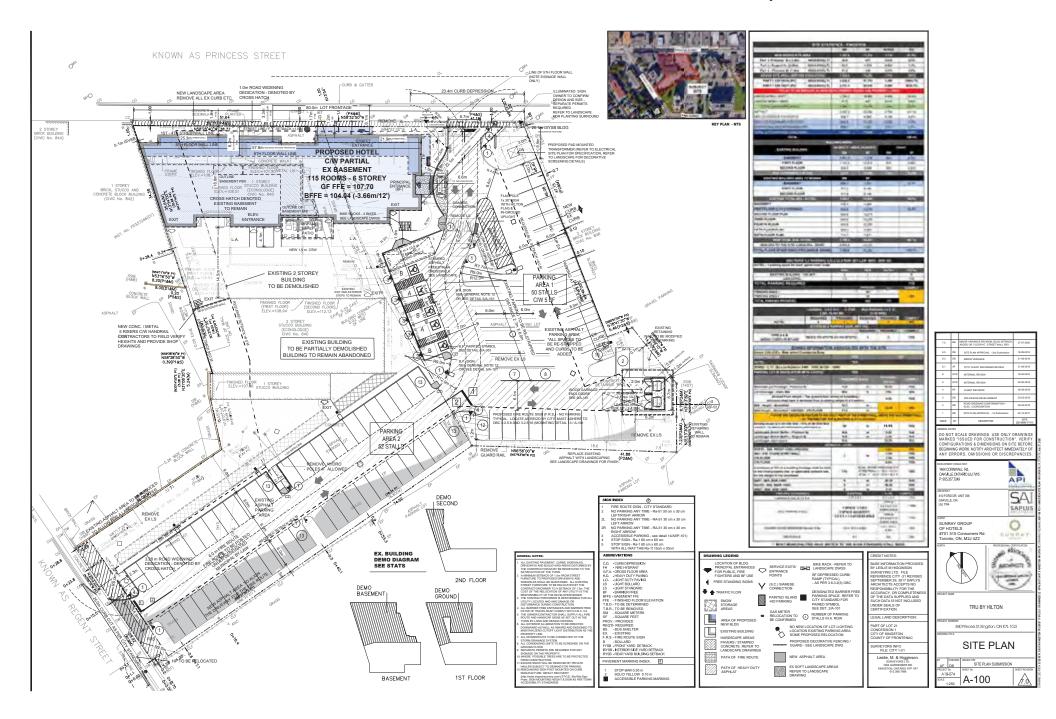
In the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Tourism, Culture and Sport (416-314-7132) and the City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

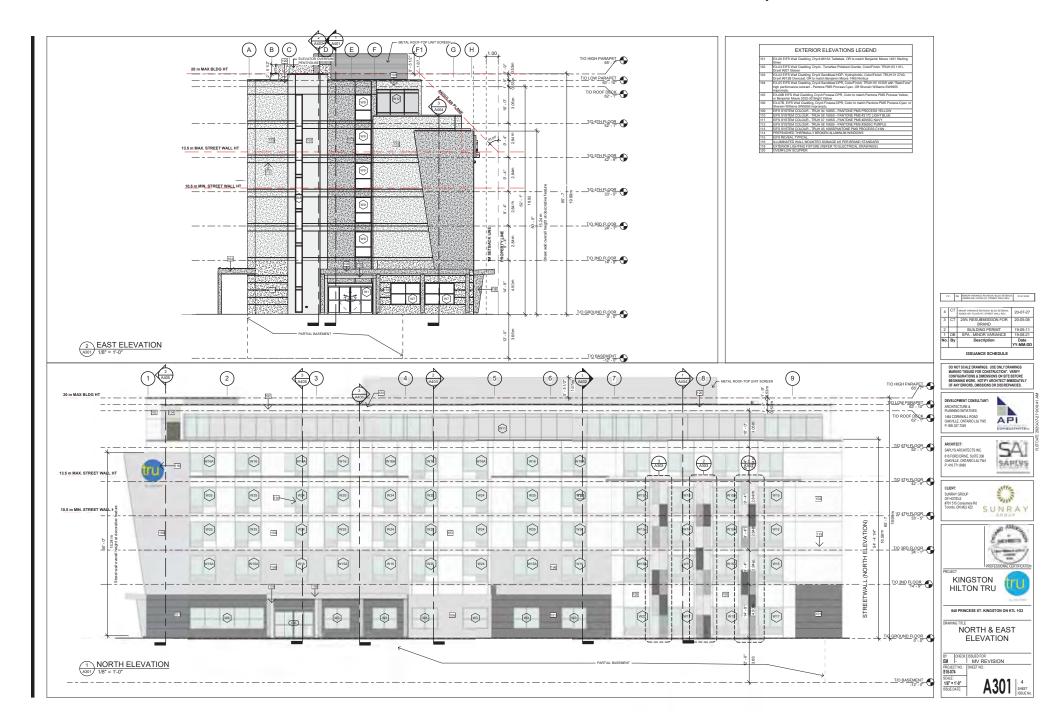
In the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8404), the Cultural Program Branch of the Ministry of Tourism, Culture and Sport (416-314-7132), and the City of Kingston's Planning Services (613-546-4291, extension 3180) must be immediately contacted.

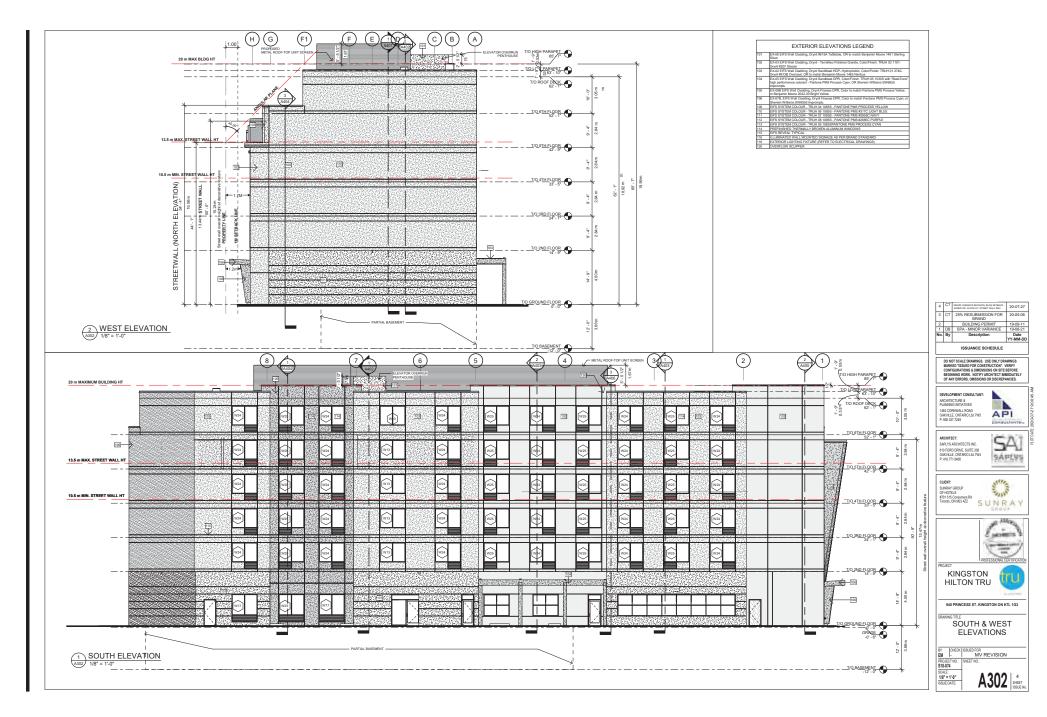
Exhibit B Report Number COA-20-045 841 837 SPANON ARE 835 850 848 823 846 815 844 PRINCESSST 813 321 842 811 300 840 834 REGENT ST 315 826 288 286 280 276 191 175 PARK ST CONTEXT MAP **₽** COMMITTEE OF ADJUSTMENT **Key Map** File Number: D13-046-2019 Planning Services Address: 834 Princess Street & 840 a department of **Princess Street** PALACE RD Community 5 10 15 20 metres Services DATE: 2020-07-29 PREPARED BY: rrochefort 48 Lands Subject to Minor Variance

Exhibit C Report Number COA-20-045 841/837 850 848 823 846 815 844 321 PRINCESS ST 842 811 300 840 834 315 REGENTST 826 288 286 280 276 191 PARK ST COMMITTEE OF ADJUSTMENT Official Plan, Existing Land Use Legend Subject Lands File Number: D13-046-2019 Planning Services Address: 834 Princess Street & 840 MAIN STREET COMMERCIAL a department of **Princess Street RESIDENTIAL** Community Services PREPARED BY: rrochefort Disclaimer. This document is subject to copyright and may only be used for your personal, necommercial use provided you isosphitact the copyright notice. If "Ally of Kingston securines no responsibility for any command, and is not liability for any demands or in any liker discussing from the use of or reliance on the information containing." The City of Kingston does not make any representation or warranty, express or implied, concerning the accuracy, quality, or reliability of the use of the contained. DATE: 2020-07-29











PATH:

ISSUED FOR: Issued for Client R

PROJECT No.: A18-074

SSUE DATE: Jun. 24 2019

6-Storey
TRU HOTEL by HILTON
SUNRAY GROUP

840 Princess St, Kingston, ON

ARTISTIC PERSPECTIVE
A-000







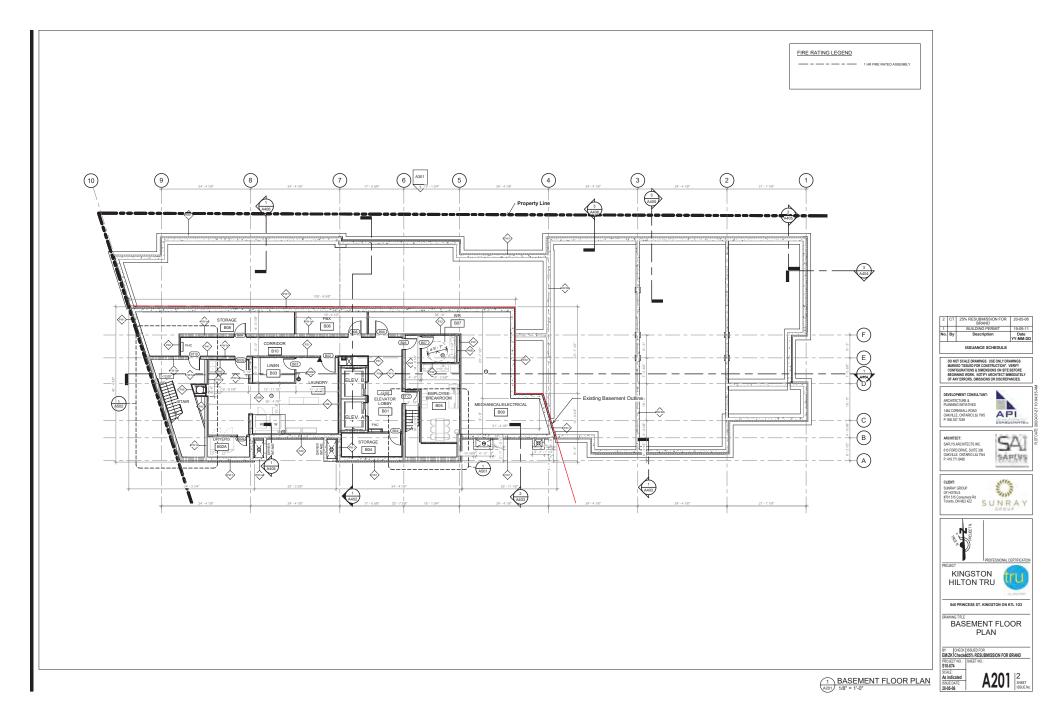
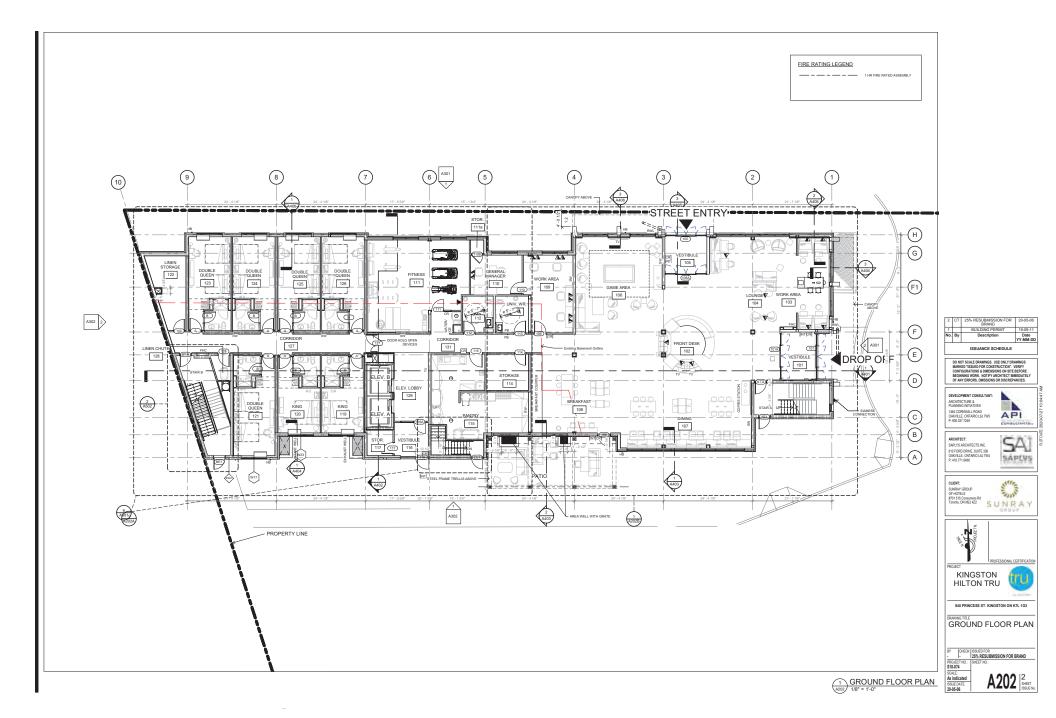
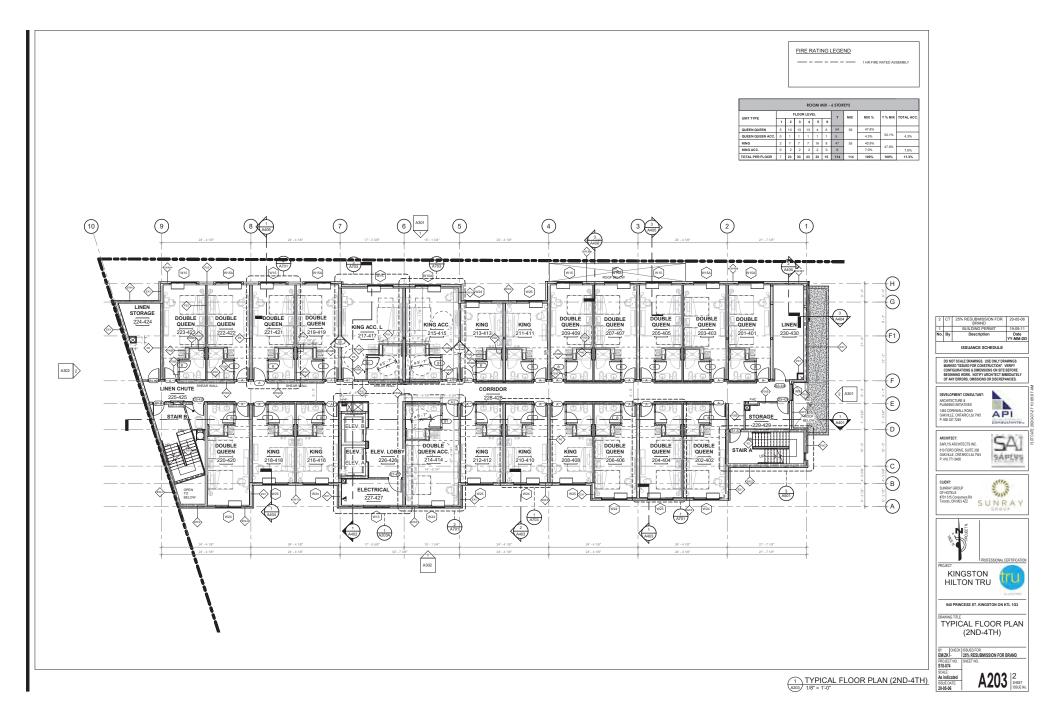
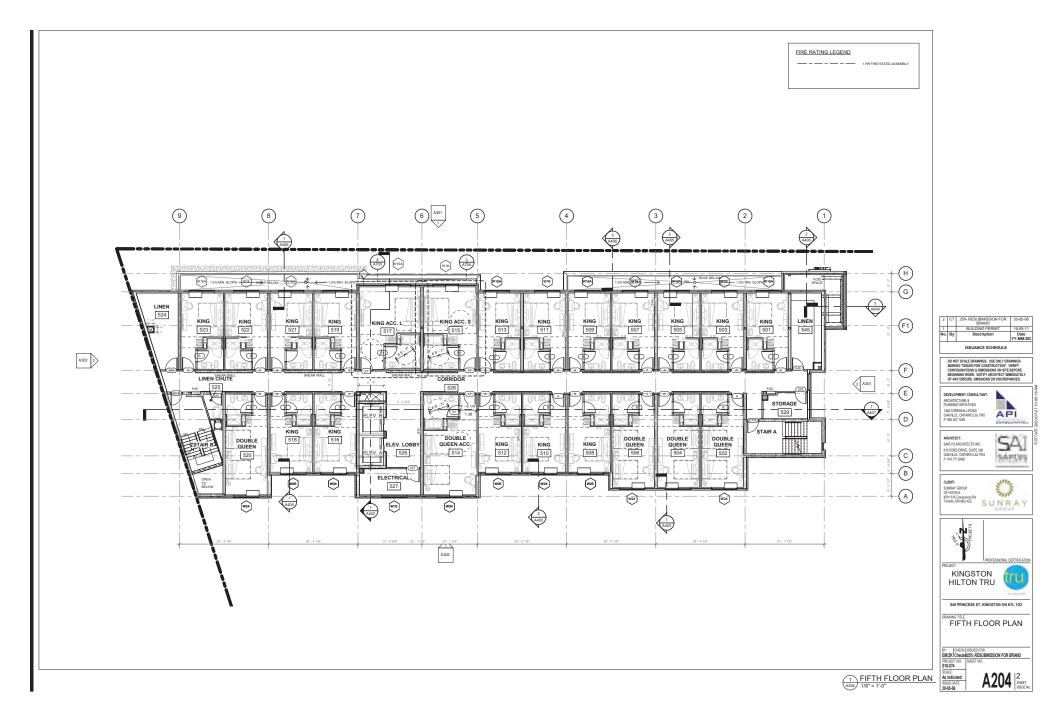
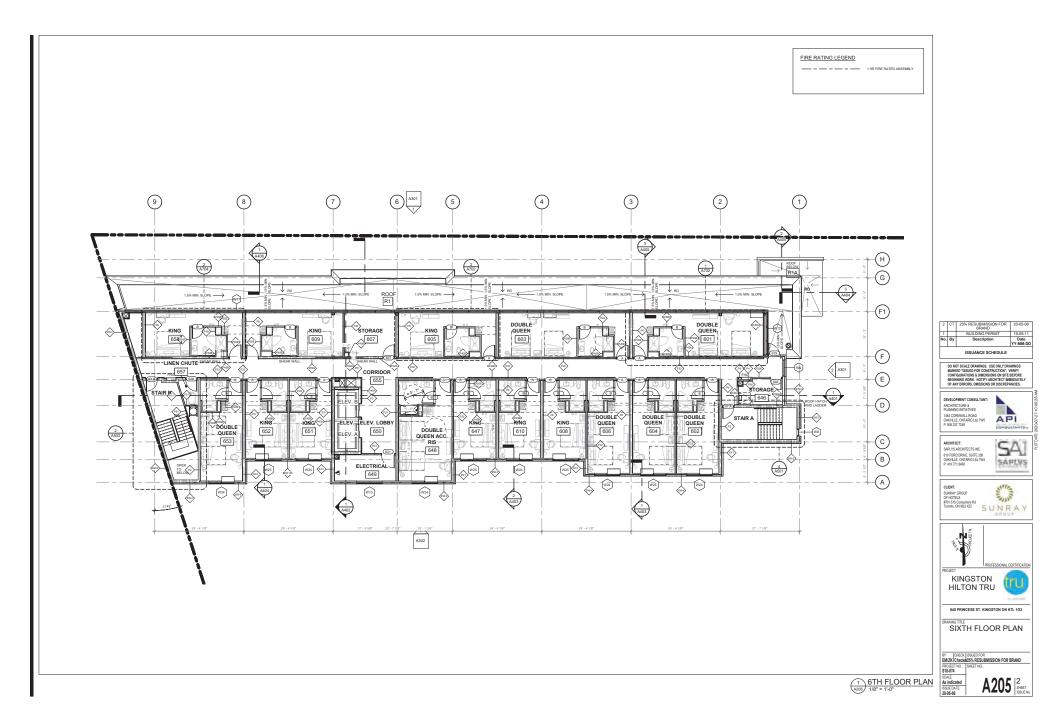


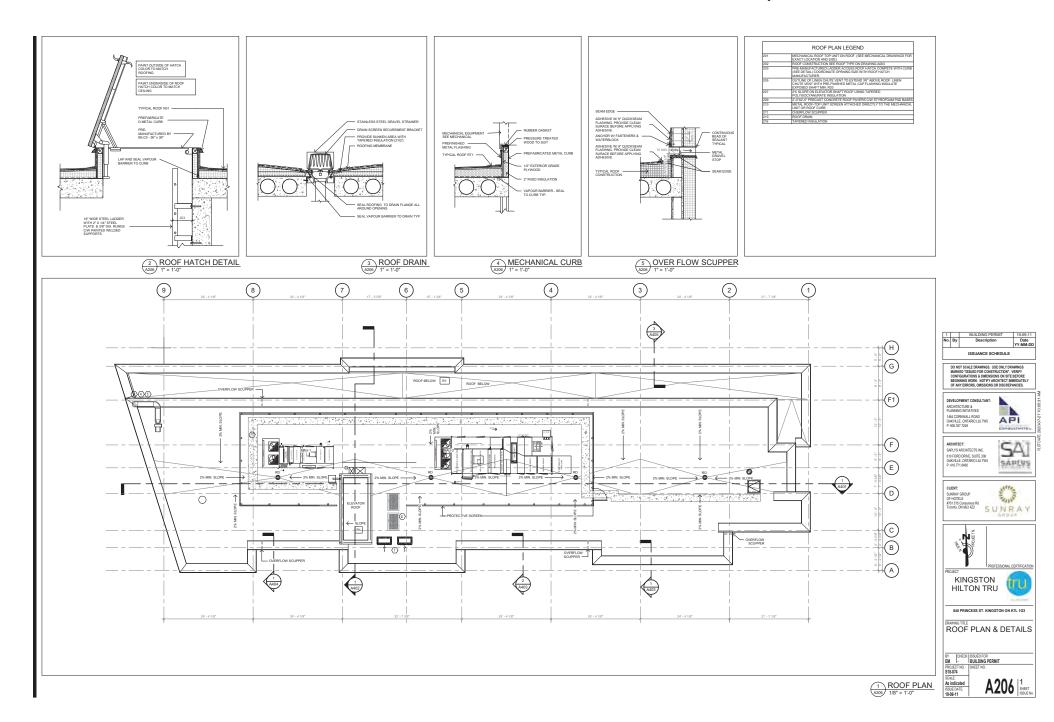
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August 19, 2019

Sunray Group of Hotels 515 Consumers Road Toronto, ON, M2J 4Z2

c/o Mr. Darius Saplys
API Development Consultants
Associate – Asset & Marketing Director
1464 Cornwall Road
Oakville, ON, L6J 7W5

Our Project file: TPI-2019P160

Re: Proposed Hotel "TRU" by Hilton, 840 Princess Street, Kingston, ON – Parking Letter of Opinion

TRANS-PLAN has prepared this Parking Letter of Opinion in support of the proposed Hotel "TRU" by Hilton, located at 840 Princess Street, in the City of Kingston, Ontario. The proposed hotel consists of a six-storey building, containing 115 hotel rooms. The proposed parking supply is 102 parking spaces, provided on a surface lot.

Our parking letter includes a review of the City of Kingston Zoning By-law 8499: 2008-60 for parking requirements and a parking demand analysis of other similar hotel developments in our database, in comparison to the development proposal. Based on our review, the proposed total parking supply is expected to be sufficient for the proposed development.

Sincerely,

Anil Seegobin, P.Eng. Partner, Engineer

Trans-Plan Transportation Inc.

Transportation Consultants

A. SEEGOBIN 100120450

August 19 2019

Joseph Doran
Transportation E.I.T.

http://www.trans-plan.com/ses/TPI-2019P160





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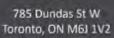


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1. INTRODUCTION

Trans-Plan has been retained by API Development Consultants to complete a Parking Letter of Opinion for the proposed Hotel "TRU" by Hilton, located at 840 Princess Street, in the City of Kingston. The following components have been included in the study:

- A review of the site parking supply and of the City of Kingston Zoning By-law 8499: 2008-60 for hotel parking requirements
- Parking demand surveys at similar hotel proxy sites located near a major highway corridor, but in an urban setting
- Confirmation that the proposed parking supply would be sufficient for the site based on our parking survey results

The Development Application Guidelines provided in the City of Kingston Terms of Reference for Parking Studies for Site Specific Applications, have been reviewed for this study.

2. SITE LOCATION AND SURROUNDING USES

The site, shown in Figure 1, is located along Princess Street in the City of Kingston. Princess Street is a major arterial roadway and is the main retail street in the city. The proposed site is approximately 4km from Highway 401 to the north. Nearby land uses include commercial properties to the east and west along Princess Street with residential neighbourhoods to the south and Novelis Aluminium production (a 2-storey industrial complex) to the north.

3. PROPOSED DEVELOPMENT

The proposed site plan, prepared by API Development Consultants / Saplys Architects Inc., is shown in Figure 2. The proposed development consists of a six-storey Hotel "TRU" by Hilton, containing 115 rooms. A total of 102 parking spaces are proposed on the surface lot which is accessed through two proposed full-moves accesses, one on Princess Street and one on Regent Street.

4. PARKING REQUIREMENTS

A parking study was conducted to determine the parking demands of the proposed hotel development and to compare the demand with the parking supply and City Zoning By-law requirements for parking.

The site parking requirements, based on the City of Kingston Zoning By-law 8499: 2008-60 (see Appendix A) are summarized in Table 1.

Table 1 – Site Parking Requirements, as per the City of Kingston Zoning By-law

Lond Hoo	Size	Parking Require	ment	Parking Supply	Parking Deficiency
Land Use		Parking Rate	Spaces	(spaces)	(spaces)
Hotal	115 rooms	1 space / room	115 spaces	102 spaces	-13 spaces
Hotel		1 bus space / 50 rooms	2 bus spaces	1 bus space	-1 bus space

1



The City's Zoning By-law parking requirement for the proposed hotel use is 115 passenger vehicle spaces, whereas 102 spaces are provided on-site, resulting in a shortfall of 13 parking spaces (i.e. 88% compliance).

The By-law also requires a bus parking space 12m by 3.6m in size for every 50 rooms provided up to a maximum of 3 spaces. Based on the City requirements, 2 bus parking spaces are required for the 115 hotel rooms. The site plan shows a semi-circular area hatched for bus stopping which would fit one bus.

Although the City's Zoning By-law total parking supply requirements are not met, Trans-Plan is of the opinion that the proposed parking supply of 102 parking spaces is sufficient to support the proposed hotel based on our review of parking demands at existing hotels. Also, with correct schedule management by hotel staff, it is expected that the supplied bus parking would be adequate. Furthermore, the hotel development is not considered to be a major tourist destination (i.e. in contrast to a hotel in downtown Niagara Falls). The hotel would cater to both guests for both business and leisure travel.

5. PROXY SITE SURVEYS

5.1 Review of Other Similar Hotel Developments

From a review of hotels in the city, there are no comparable sites with similar attributes in the same urban setting. The nearest hotels to the subject site are motels with one or two storeys or larger tourist aimed towers on the waterfront with more than 10 storeys and underground parking lots.

Trans-Plan reviewed other hotel developments (from past projects in our database) with similar characteristics for the purpose of conducting parking demand surveys. The following four proxy sites were selected for analysis:

- 1. Hilton Garden Inn Toronto / Oakville, 2774 South Sheridan Way, Oakville, ON
- 2. Holiday Inn Express & Suites Newmarket, 100 Pony Drive, Newmarket, ON
- 3. Homewood Suites by Hilton Toronto-Markham, 50 Bodrington Court, Markham, ON
- 4. Hampton Inn & Suites by Hilton Toronto-Markham, 52 Bodrington Court, Markham, ON
- 5. Courtyard by Marriott Toronto Airport, 231 Carlingview Drive, Etobicoke, ON
- 6. Hampton Inn & Suites by Hilton Toronto Airport, 3279 Caroga Drive, Mississauga, ON

The proxy sites selected have a similar parking lot configuration (with surface parking), contain ground floor public use areas and are in cities/towns with a similar population size, as compared to the subject site. Site statistics for each hotel are summarized in Table 2.





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Table 2 – Hotel Proxy Sites, Site Statistics and Amenities

Hotel	Parking Supply (spaces)	No. of Storeys	No. of Rooms	Supply Rate (spaces per room)	Population* (2016)
Subject Site:					
TRU by Hilton Hotel, Kingston	102	6	115	0.89	117,660
Proxy Sites:					
Hilton Garden Inn Toronto / Oakville	115	4	97	1.19	193,832
Holiday Inn Express & Suites Newmarket	135	5	100	1.35	84,224
3. Homewood Suites by Hilton Toronto Markham	105	6	101	1.04	328,966
4. Hampton Inn & Suites by Hilton Toronto Markham	82	7	99	0.83	328,966
5. Courtyard by Marriott Toronto Airport	153	8	168	0.91	365,143
6. Hampton Inn & Suites by Hilton Toronto Airport	139	9	200	0.70	721,600

Source: Population Counts for Population Centres, 2016 Census Survey, Statistics Canada

Trans-Plan conducted the parking utilization studies on the following dates:

- Hotel 1 January 14th (Wed) and January 16th through 16th (Fri Sun), 2015,
- Hotels 2, 3 and 4 June 9th (Fri), June 13th (Tue), June 17th (Sat) and September 1st (Fri), 2017,
- Hotels 5 and 6 April 5th (Wed) and April 8th (Sat), 2017.

Detailed parking survey results are provided in Appendix B and are summarized in Table 3. As is typical with a hotel use, peak parking demands occurred overnight (as mainly noted in the detailed survey results for the Oakville and York Region hotels). The hotel occupancy was also obtained for each hotel at the time of the recordings.

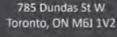




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Table 3 – Hotel Proxy Sites, Parking Survey Results

		Percent Occupancy	Observed Peak Parking Demand		
Hotel	Rooms		Spaces Occupied	Rate	
				(spaces per room)	
1. Hilton Garden Inn	97	97 77%	80	0.82	
Toronto / Oakville	31				
2. Holiday Inn Express &	100	100%	78	0.78	
Suites Newmarket	100 100%	70	0.76		
3. Homewood Suites by	101	100%	92	0.91	
Hilton Toronto Markham	101	100%			
4. Hampton Inn & Suites by	99	100%	81	0.82	
Hilton Toronto Markham	99	100%	01	0.02	
5. Courtyard by Marriott	168	82%	135	0.80	
Toronto Airport	108	8270	133	0.80	
6. Hampton Inn & Suites by	200	100%	156	0.78	
Hilton Toronto Airport	200	100%	130	0.76	
			Average	0.82	

In comparison to the Zoning By-law parking requirement of 1 parking space per room, the results indicate an average peak parking demand of 0.83 spaces per hotel room based on the proxy site hotels surveyed.

5.2 Estimated Parking Demands for Subject Site

The hotel parking demands from the survey results were applied to the subject site, based on the number of rooms, as shown in Table 4.

Table 4 – Estimated Parking Demands for Proposed Hilton Garden Inn Hotel

Hotal Units	Estimated Parking Demands for Subject Site			
Hotel Units	Observed Rate	Parking Demand		
115 rooms	0.82 spaces per room	95 spaces		

By applying the survey results to the subject site, the expected typical peak parking demand for the proposed hotel would be approximately 95 spaces which is met by the proposed parking supply of 102 parking spaces.

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6. ALTERNATIVE MODES OF TRAVEL

6.1 Transit Service

The site is served by Kingston Transit, operated by the City of Kingston, which provides public transit across the City of Kingston, and providing connectivity to intercity services (Kingston Station and Kingston Bus Terminal). The transit routes within close vicinity of the site are listed as follows:

Route 4, Cataraqui Centre – Downtown Transfer Point is a bus route that generally runs in an east-west orientation along Princess Street. The route connects riders from the Cataraqui Centre to the Kingston Centre to the Downtown Transfer Point at Brock Street and Bagot Street. The nearest stop is located at 800 Princess Street directly north of the subject site.

Route 12, Kingston Centre – CFB Kingston is a bus route that generally runs in an east-west orientation along Brock Street / Johnson Street and Highway 2. The route connects riders from the Kingston Centre to CFB Kingston. The nearest stop is located at Regent Street and Park Street, an approximate 3-minute walk (~150m) south of the subject site.

Route 16, Division Street / Dalton Avenue – Train Station is a local bus route that runs in a circuitous route along Dalton Avenue, John Counter Boulevard, Concessions Street and Princess Street. The route connects riders from the Kingston Train Station, Kingston Centre and the Bus Terminal. The nearest stop is located at Concession Street and Leroy Grant Drive, an approximate 6-minute walk (~300m) north of the subject site.

Route 501 Express, Clockwise Route is a bus route that runs in a clockwise circuit along Princess Street, Bagot Street, Stuart Street, King Street West, Front Road, Days Road, Henderson Boulevard and Bayridge Drive. The route connects riders from the Cataraqui Centre to the Kingston Centre to the Downtown Transfer Point at Brock Street and Bagot Street to St. Lawrence College and back to the Cataraqui Centre. The nearest stop is located at 800 Princess Street directly north of the subject site.

Route 502 Express, Counter-Clockwise Route is a bus route that runs in a counter-clockwise circuit along the same route as the 501 Express service. The nearest stop is located at 800 Princess Street directly north of the subject site on the north side of the street.

A figure of the existing study area transit routes is provided in Figure 3 with Table 5 providing route service times and peak service frequencies.





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Table 5 – Transit Service Frequencies in the Study Area

Route	No.	Nearest Transit Stop at Site	Approximate	Service Times	Approximate Peak Service Frequency (min)		
			Mon-Sat	Sunday	Mon-Sat	Sun	
Cataraqui Centre – Downtown Transfer Point	4	800 Princess Street	06:15 – 23:15	08:15 – 20:45	30	60	
Kingston Centre – CFB Kingston	12	Regent Street & Park Street	06:05 – 23:42	08:45 – 20:42	30	30	
Division St./Dalton Ave. – Train Station	16	Concession Street & Leroy Grant Drive	05:45 – 23:45	08:15 – 21:45	30	60	
Clockwise Express	501	800 Princess Street	05:55 – 00:01	05:55 – 23:51	8	30	
Counter-clockwise Express	502	800 Princess Street	05:25 – 23:51	06:00 – 23:48	8	30	

Increasing public transit use has many benefits such as protecting the environment, reducing traffic congestion on Regional roads, providing convenience, saving energy, strengthening communities and improving liveability.

6.2 Cycling

Encouraging more people to cycle, especially for utilitarian purposes, would result in taking more cars off the road during peak hours, helping to reduce traffic congestion and parking demands, and is more environmentally friendly.

Although the City does not currently have bicycle parking requirements for hotel land uses, the subject site is proposing four bicycle parking spaces, provided at a rate of one bicycle parking space per 29 hotel rooms.

Princess Street, currently has dedicated cycle lanes both ways to the east of the subject site towards the Downtown core. In the future, the City's Cycling Master Plan proposes primary on-road cycling routes along Princess Street to the west, and through many of the residential streets nearby. Although hotel guests are unlikely to cycle to and from the site, the four bicycle parking spaces may be utilized by hotel employees that live in the surrounding area. The City transit buses also provide bicycle racks for longer trips to further encourage cycling.

6.3 Rideshare Services

Ridesharing is another growing trend across the Province, allowing people without a vehicle to share a vehicle to their specified location. Uber was one of the first to start the ridesharing movement. The City of Kingston requires their drivers to have photo identification, proof of insurance and undergo in-person police criminal background checks, and have annual vehicle safety to ensure proper regulation and safety of the service.





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Uber is a popular transportation service that is generally seen as a more affordable alternative to taxis. Users request a ride using the smartphone application (app) and a nearby driver accepts the request. Many people choose to use Uber because the app allows riders to get information on drivers ahead of time and fares are charged to the Uber account. Uber and other ridesharing services offer riders the option of sharing their trips with other app users travelling in a similar direction for a discounted rate and a more sustainable city.

7. CONCLUSIONS & RECOMMENDATIONS

The conclusions and recommendations from our Parking Letter of Opinion for the proposed Hotel "TRU" by Hilton, located at 840 Princess Street in the City of Kingston, are summarized as follows:

- The proposed Hotel "TRU" by Hilton includes six-storeys, 115 hotel rooms. 102 parking spaces are provided on a surface lot (provided at a rate of 0.89 parking spaces per room), with two site accesses proposed, one on Princess Street, to the north, and one on Regent Street, to the west.
- Based on the City of Kingston Zoning By-law 8499: 2008-60, the parking requirements for the subject site is a total of 115 parking spaces, resulting in a shortfall of 13 parking spaces.
- Trans-Plan reviewed six other similar hotel developments in cities / towns of a similar population size. The results indicated an average peak parking demand of 0.82 spaces per room, which results in a peak parking demand of 95 parking spaces for the proposed 115 room hotel. There are no comparable hotels (similar storeys) in the downtown Kingston area.
- To further support the proposed parking supply of 102 parking spaces, the subject site is situated nearby five transit routes, with the nearest transit stops located at the north end of the subject site. Four bicycle parking spaces are also provided on-site to encourage alternative modes of travel, with existing and future cycling routes along the nearby roadways.

In conclusion, the proposed Hotel "TRU" by Hilton can be supported through the proposed parking supply of 102 parking spaces, based on our review of peak parking demands at similar hotels and existing service of alternative modes of travel within the study area.

Respectfully submitted,

Anil Seegobin, P.Eng.

Partner, Engineer

Trans-Plan Transportation Inc.

Transportation Consultants

Joseph Doran

Transportation E.I.T.



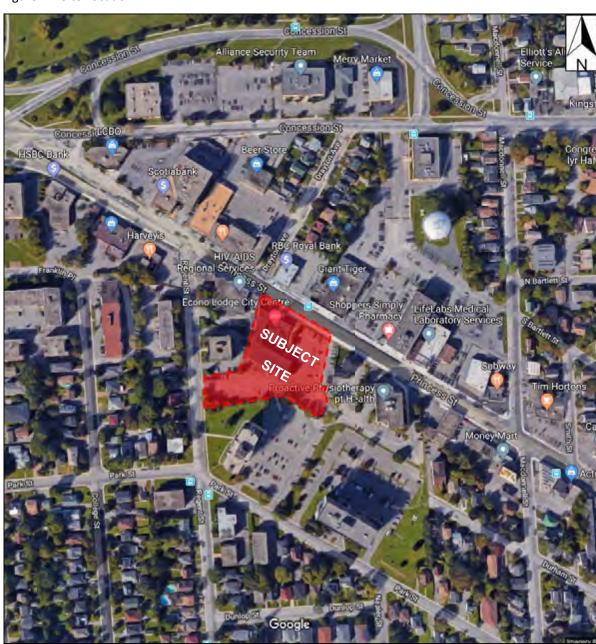


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Figure 1 – Site Location



Source: Google Maps

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To the second second		and the state of t		型温度。	SATISFACTION OF THE TOWN. 2. AINNUM GETHACK OF 1 ON FROM STREET PURNITURE TO PROPOSED DRIVEWAYS AND SIDEWALKS SHALL BE MANTHMED. ALL EXIS STREET FURNITURE TO BE RELOCATED BY TO CONTRACTORIONNER TO A SETBACK OF 1 OR COST OF THE RELOCATION OF ANY UTILITY IS	0.00 0.00	FREE STANDING SIG	NS (S.C.) SIAMESE -AS PER 3.8.3.2(3) OBC	BASE INFORMATION PROVIDED BY LESUE M HIGGINSON SURVEYING LTD. FILE REFERENCE CITY -21 REVISED SEPTEMBER 29, 2017 SAPLYS ARCHITECTS ACCEPTS NO RESPONSIBILITY FOR TIMES OF THE DATA SUPPLEED AND	Ш
3		And the same of th		THE RESERVE	COST OF THE RELOCATION OF ANY UTILITY IS RESPONSIBLITY OF THE DEVELOPERONMER. 3. THE CONTRACTOR OWNER IS RESPONSIBLE I UTILITY LOCATES AND AND DAMAGE OR DETINISHMEN DISPONSIBLE OF THE PROPERTY OF THE PROPE	DR ALL OR ALL TIME BF BASEMENT FFE FFE BASEMENT FFE FFE FINSHED FLOOR ELEVATION T.B.D. TO BE DETERMINED	TRAFFIC FLOW SNOW STORAGE AREAS	DESIGNATED BARRIER FREE PARKING SPACE. REFER TO CITY STANDARD FOR PANEL SYMBOL SEE DET. 2/488-101		PROJE
			7 18		A. LI BARRIER FREE ENTRANCES AND BARRIES PATHS GOT TRAVEL BARIST COMPT, VINTH O. B.C. THE DWINER/CONTRACTOR SHALL SUPPLY AL ROUTE AND HARDICAP SIGNS AS SET OUT IN TOWN BY LAWS AND DESIGN COSTERN.	RFREE T.B.R TO BE REMOVED 3.0. LFIRE SM - SQUARE METERS SF - SQUARE FEET PROV PROVIDED	AREAS AREA OF PROPI	RELOCATION TO STALLS IN A ROW	UNDER SEALS OF CERTIFICATION. LEGAL LAND DESCRIPTION:	
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SAR	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				SI LIBAN LIBANUSA SYSTIAM. 8. ALL CONDENSING UNITS TO BIE SCREENED OF GROUND FLOOR. 9. SEPARATE PREMITS ARE REQUIRED FOR ANY SIGNAGE ON THE PROPERTY. 10. WHERE, POSSIBLE TRIESS ARE TO BE PROTECT.	FYSB - FRONT YARD SETBACK ISYSB - INTERIOR SIDE YARD SETBACK RYSB - REAR YARD BUILDING SETBACK	PAVERS / STAM CONCRETE. REI LANDSCAPE DR	AWINGS	SURVEYORS INFO FILE: CITY 1-21	\prod
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	F CO		na. rakii - nio		MANUFACTURE: MEPACT RECOVERY (http://www.impachecowry.com/) STYLE: Sta-Rite Posts: Sickin MCUNTRING PEGGHT & SIGN AS PEF ACCESSIBILITY STANDARDS	Sign ACCESSIBLE PARKING MARKING				SCR.5

KNOWN AS PRINCESS STREET



Figure 3 – Study Area Transit Service



Source: City of Kingston Transit Map



APPENDIX A

City of Kingston Zoning By-law 8499: 2008-60

Clause (3), Report No. 23, 2008 D14-107-2007

BY-LAW NO. 2008-60

A BY-LAW TO AMEND BY-LAW NO. 8499, "RESTRICTED AREA (ZONING) BY-LAW OF THE CORPORATION OF THE CITY OF KINGSTON" (Administrative Amendment - Parking Requirements for Hotels / Motels)

PASSED: February 19, 2008

WHEREAS by Order of the Minister of Municipal Affairs and Housing, The Corporation of the Township of Kingston. The Corporation of the Township of Pittsburgh and The Corporation of the City of Kingston were amalgamated on January 1, 1998, to form The Corporation of the City of Kingston as the successor municipal corporation and pursuant to the Minister's Order, any by-laws of the former municipality passed under the Planning Act continue as the by-laws covering the area of the former municipality now forming part of the new City;

AND WHEREAS the Council of The Corporation of the City of Kingston deems it advisable to amend Zoning By-Law No. 8499, as amended, of the former City of Kingston;

NOW THEREFORE the Council of The Corporation of the City of Kingston hereby ENACTS as follows.

- By-Law No. 8499 of The Corporation of the City of Kingston entitled, "Restricted Area (Zoning) By-Law of The Corporation of the City Of Kingston", as amended, is hereby further amended as follows:
- 1.1. By amending Section 5.3 A. (b) so as to Delete the existing parking requirements for "HOTELS" and Replace same with the following new regulations:
 - "HOTELS / MOTELS 1 parking space for each guest room / suite plus 1 parking space for each 4 persons that can be accommodated at any one time in any beverage room or liquor lounge plus 1 bus parking space (minimum dimensions 3.6 metres [12 feet] by 12 metres [39 feet]) for each 50 guest rooms, to a maximum of 3 bus parking spaces."
- 2. This By-Law shall come into force and take effect on its passing provided that no Notice of Appeal is filed to this By-Law, all in accordance with the provisions of Section 34, Subsections 19 and 30 of the <u>Planning Act</u>, R.S.O. 1990, c.P. 13; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the provisions of Section 34, Subsections 19 and 30 of the <u>Planning Act</u>, R.S.O. 1990, c.P. 13 apply and the By-Law shall be deemed to have come into force and take effect on the day it was passed.

GIVEN ALL THREE READINGS AND PASSED February 19, 2008

ACTING CITY CLERK

MAYO

NOTICE OF PASSING OF ZONING BY-LAWS BY

THE CORPORATION OF THE CITY OF KINGSTON

The Council of The Corporation of the City of Kingston passed the following by-laws on the 19th day of February, 2008, under Section 34 of the Planning Act, R.S.O. 1990, as amended:

By-Law No. 2008-60, "A BY-LAW TO AMEND BY-LAW NO. 8499, 'RESTRICTED AREA (ZONING) BY-LAW OF THE CORPORATION OF THE CITY OF KINGSTON' (Administrative Amendment - Parking Requirements for Hotels/Motels)";

By-Law No. 2008-61, "A BY-LAW TO AMEND BY-LAW NO. 96-259, 'DOWNTOWN AND HARBOUR ZONING BY-LAW FOR THE CORPORATION OF THE CITY OF KINGSTON" (Administrative Amendment - Parking Requirements for Hotels/Motels)";

By-Law No. 2008-62, "A BY-LAW TO AMEND BY-LAW NO. 76-26, 'A BY-LAW TO REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES IN THE TOWNSHIP OF KINGSTON' (Administrative Amendment - Parking Requirements for Tourist Establishments)";

By-Law No. 2008-63, "A BY-LAW TO AMEND BY-LAW NO. 97-102, 'CATARAQUI NORTH ZONING BY-LAW' (Administrative Amendment - Parking Requirements for Hotels/Motels)"; and

By-Law No. 2008-64, "A BY-LAW TO AMEND BY-LAW NO. 32-74 'A BY-LAW TO REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES IN THE TOWNSHIP OF PITTSBURGH' (Administrative Amendment - Parking Requirements for Tourist Establishments)".

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-Law or By-Laws by filing with the Clerk of The Corporation of the City of Kingston not later than the 17th day of March, 2008, a Notice of Appeal setting out the objection to the By-Law or By-Laws and the reasons in support of the objection. The objection must be accompanied by the fee required by the Ontario Municipal Board.

Only individuals, corporations and public bodies may appeal a Zoning By-Law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf. No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

AN EXPLANATION of the purpose and effect of the By-Laws is attached. No key map is provided as all lands within the City of Kingston are affected.

DATED at the City of Kingston this 26th day of February, 2008

Note:

The Last Day For Filing Objections Will Be March 17th, 2008.

The Objection Must Be Received By 4:30 pm at the Office of the Clerk, City Hall, 216 Ontario Street, by this Date In Order To Be Valid.

Susan Powley

Acting City Clerk

Any appeal submitted to the City of Kingston for referral to the Ontario Municipal Board must include the following:

- 1. the objection to the By-Law or By-Laws and the reasons in support of the objection;
- 2. the name and address of the appellant; and,
- the fee required by the Ontario Municipal Board in the amount of \$125.00 per objection, payable to the Minister of Finance, Province of Ontario.

EXPLANATORY NOTE CONCERNING BY-LAW NO. 2008-60 THROUGH 2008-64

AREA AFFECTED: The area affected by By-Laws No. 2008-60 through 2008-64 comprise all of the

land within the City of Kingston.

PURPOSE: To harmonize the requirements for hotel/motel parking across the municipality to

ensure the provision of sufficient parking for patrons, and to include the requirement

for bus parking on site.

EFFECT: The following wording will be incorporated into all five of the Zoning By-Laws of the

City of Kingston:

"one parking space for each guest room / suite plus one parking space for each four persons that can be accommodated at any one time in any beverage room or liquor lounge plus one bus parking space (minimum dimensions 3.6 metres [12]

feet] by 12 metres [39 feet])

KEY MAP: No Key Map is provided as all lands within the City of Kingston are affected.

The above is an explanation of the provisions of the amendment to the Zoning By-Laws. For accurate reference, these amendments and the original By-Laws No. 32-74, 76-26, 97-102, 8499 and 96-259 should be consulted at the Municipal Offices during regular business hours.

THE CORPORATION OF THE CITY OF KINGSTON

Re: BY-LAW NO. 2008-60

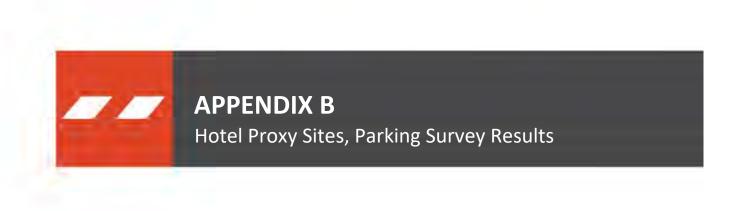
A By-Law To Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston", As Amended (Amend Existing Parking Requirements for Hotels/Motels) (See Clause (3), Report No. 23)

EFFECTIVE DATE: February 19, 2008

DECLARATION

I, Carolyn Downs, hereby certify that the notice for BY-LAW NO. 2008-60 of The Corporation of The City of Kingston, passed by the Council of The Corporation of the City of Kingston on the 19th day of February, 2007 was given in the manner and form and to the persons prescribed by Ontario Regulation 199/96, made by the Lieutenant Governor-in-Council under subsections 17 and 34 of the Planning Act, R.S.O. 1990, c. P.13. I also certify that the 20 day appeal period expired on the 11th day of March, 2008 and to this date no notice of appeal setting out an objection to the by-law has been filed in the Office of the Clerk.

DATED at Kingston, Ontario
)
Carolyn Downs, City Clerk
This 31st day of March, 2008
) The Corporation of the City of Kingston



PARKING SURVEY RESULTS

HOTEL: Hilton Garden Inn Toronto/Oakville

ADDRESS: 2774 South Sheridan Way, Oakville, Ontario

DATE: Wednesday January 14 and Friday January 16 to Sunday January 18, 2015

START AND END TIMES: 6:00am to 11:00pm

SURVEYOR: Suvash Karki, Ali Qureshi and Khushwinder Hanjrah, , Trans-Plan

	Wednesday January 14, 2015			Friday January 16, 2015		uary 17, 2015	Sunday January 18, 2015		
Time (hour:minute)	Parking Demand (spaces)	Parking Rate (per Room)							
Supply (spaces)	115		115		115		115		
Rooms		97		97		97		97	
Occupancy (%)		65%		65%		77%		59%	
6:00 AM	58	0.60	68	0.70	58	0.60	80	0.82	
7:00 AM	44	0.45	63	0.65	56	0.58	74	0.76	
8:00 AM	37	0.38	59	0.61	38	0.39	75	0.77	
9:00 AM	55	0.57	60	0.62	35	0.36	61	0.63	
10:00 AM	60	0.62	57	0.59	39	0.40	54	0.56	
11:00 AM	56	0.58	41	0.42	38	0.39	33	0.34	
12:00 PM	54	0.56	32	0.33	28	0.29	33	0.34	
1:00 PM	49	0.51	28	0.29	23	0.24	30	0.31	
2:00 PM	51	0.53	31	0.32	22	0.23	21	0.22	
3:00 PM	56	0.58	33	0.34	31	0.32	16	0.16	
4:00 PM	57	0.59	34	0.35	28	0.29	22	0.23	
5:00 PM	42	0.43	33	0.34	33	0.34	27	0.28	
6:00 PM	40	0.41	32	0.33	35	0.36	26	0.27	
7:00 PM	40	0.41	32	0.33	42	0.43	26	0.27	
8:00 PM	44	0.45	36	0.37	47	0.48	33	0.34	
9:00 PM	54	0.56	45	0.46	66	0.68	36	0.37	
10:00 PM	58	0.60	53	0.55	71	0.73	48	0.49	
11:00 PM	62	0.64	57	0.59	72	0.74	48	0.49	
Maximum	62	0.64	68	0.70	72	0.74	80	0.82	

Proposed Newmarket Marriot TownPlace & Suites Hotel 1201 & 1225 Journey's End Circle, Newmarket

Proxy Site Survey of Hotel Parking Demand, Parking Spaces Occupied

Friday June 9, 2017									
Time	Homewood Suites, Markham	Hampton Inn & Suites by Hilton Toronto, Markham	Holiday Inn Express & Suites, Newmarket						
12:00 AM	80	72	66						

Tuesday June 1	Tuesday June 13, 2017 (Hotel Room Occupancy: 100%)									
Time	Homewood Suites, Markham	Hampton Inn & Suites by Hilton Toronto, Markham	Holiday Inn Express & Suites, Newmarket							
6:30 AM	69	65	74							
9:30 AM	36	22	35							
12:00 PM	27	22	30							
3:30 PM	24	20	27							
6:30 PM	28	25	45							
8:00 PM	39	29	61							
12:00 AM	74	63	78							
Rooms:	101	99	100							
Peak Rate:	0.73	0.66	0.78							

aturday June 17, 2017 (Hotel Room Occupancy: 100%)									
Time	Homewood Suites, Markham	Hampton Inn & Suites by Hilton Toronto, Markham	Holiday Inn Express & Suites, Newmarket						
6:30 AM	92	81	51						
9:30 AM	75	68	49						
12:00 PM	48	45	47						
3:30 PM	31	29	46						
6:30 PM	36	27	46						
8:00 PM	53	48	43						
12:00 AM	78	75	72						
Rooms:	101	99	100						
Peak Rate:	0.91	0.82	0.72						

Time	Homewood Suites, Markham	ewood Suites, Markham Hampton Inn & Suites by Holid				
6:30 AM	65	68	50			
9:30 AM	49	41	46			
12:00 PM	45	38	39			
3:30 PM	43	36	25			
6:30 PM	36	21	22			
8:00 PM	39	32	32			
12:00 AM	88	76	54			
Rooms:	101	99	100			
Peak Rate:	0.87	0.77	0.54			

<u>Table 2 - Hotel Parking Demand Survey - Urban Proxy Site Locations near Toronto Pearson Airport</u>

Mid-night spot counts to record parking demand at each proxy site

					Wed	dnesday Apr	il 5, 2017	Saturday April 8, 2017		
	Hotel Name	Hotel Address	Number of Supp	Parking Supply (spaces)	Room Occupancy	Parking Demand (spaces)	Observed Parking Rate (spaces / room)	Room Occupancy	Parking Demand (spaces)	Observed Parking Rate (spaces / room)
	Courtyard by Marriott Toronto Airport	231 Carlingview Drive, Etobicoke	168	153	100%	109	0.65	82%	135	0.80
83	Hampton Inn & Suites by Hilton Toronto Airport	3279 Caroga Drive, Mississauga	200	139	100%	113	0.57	100%	156 ^a	0.78
	Note: (a) 19 spillover / on-street parking included in count					Average	0.61			0.79



Exhibit H Report Number COA-20-045

Exhibit I **Report Number COA-20-045**



Front of subject property at 840 Princess Street looking southwest



Front entrance to hotel on Princess Street looking east



Princess Street looking east from the subject property



Princess Street looking west from the subject property



840 Princess Street parking area looking southwest from Princess Street



Rear entrance to hotel on Regent Street